

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER: 1785.01
COMPLAINT INVESTIGATOR: Sandie Scudder
DATE OF COMPLAINT: July 26, 2001
DATE OF REPORT: August 8, 2001
REQUEST FOR RECONSIDERATION: no
DATE OF CLOSURE: September 10, 2001

COMPLAINT ISSUES:

Whether the Kokomo-Center Township Consolidated School Corporation and the Kokomo Area Special Education Cooperative violated:

-511 IAC 7-25-4 with regard to the school's alleged failure to conduct an educational evaluation and convene a case conference committee within 60 instructional days of the date of written parental consent.

FINDINGS OF FACT:

1. The student (Student) is a seven-year-old, second-grade student who has been determined eligible for special education and related services as a student with a learning disability.
2. The Complainant signed the Permission to test form on January 29, 2001, and returned it to school with the Student on January 30, 2001.
3. The Director of Special Education submitted documents confirming that the School received the Permission to Evaluate form on January 30, 2001. The date for the Student's evaluation was May 3, 2001, and the CCC Report is dated May 23, 2001. Sixty instructional days from January 30, 2001, elapsed on May 9, 2001.

CONCLUSIONS:

Findings of Fact #2 and #3 indicate that the School received the Permission to Test form on January 30, 2001, and convened the CCC on May 23, 2001, exceeding the 60 instructional day timeline by 10 days. Therefore, a violation of 511 IAC 7-25-4 occurred.

The Department of Education, Division of Special Education requires corrective action based on the Findings of Fact and Conclusions listed above.

CORRECTIVE ACTION:

The Kokomo-Center Township Consolidated School Corporation and the Kokomo Area Special Education Cooperative shall:

Send a written reminder to staff responsible for convening CCC meetings that the CCC to discuss an initial evaluation must be convened within 60 instructional days of the date of written parental consent. **A copy of the written reminder shall be submitted to the Division no later than September 7, 2001, along with an assurance letter that procedures are in place to ensure timelines are not exceeded.**

DATE REPORT COMPLETED: August 8, 2001

